

FOX VALLEY EAST PLANNED DEVELOPMENT DISTRICT

Plan Description

Part One

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FOX VALLEY EAST PLANNED DEVELOPMENT DISTRICT

Plan Description

Part One

Section I

General Description of the Proposed District

For the purposes of this Plan Description the Proposed District (hereinafter called the "District") is divided into two contiguous parts, herein called Region I and Region II.

Region I consists of approximately seven hundred contiguous acres lying in an area bounded generally by Route 65 (Aurora Road) on the north, Route 34 (Oswego Road) on the south, Route 59 on the east and the easterly right-of-way line of the Elgin, Joliet & Eastern Railway Company on the west. The exact boundaries are set forth in a separate submission.

Region II consists of approximately three thousand four hundred and fifty contiguous acres located in an area bounded generally by Molitor Road on the north, the DuPage-Will County Line on the south, the westerly line of the north-south Commonwealth Edison Company right-of-way paralleling the Elgin, Joliet & Eastern Railway Company on the east and the DuPage-Kane County Line on the west with an added portion of the area bounded by an irregular line extending into Section 36

in Aurora Township, Kane County, and with another portion extending to the east of the Elgin, Joliet & Eastern Railway Company and lying south of Route 34 (Oswego Road) in Sections 29 and 32 of Naperville Township, DuPage County. The exact boundaries are set forth in a separate submission.

The District, tentatively named Fox Valley East, is being planned as a New City extension of the City of Aurora, Illinois (hereinafter called the "City") to serve the present and future population in the Fox River Valley area east of the present city limits of the City.

The District's location at the junction of three major transportation systems: the East-West Tollway which is being extended to the western section of the state; the designated Fox Valley Freeway; and the Burlington Northern, Inc. commuter and inter-city rail line which serves Chicago, western Illinois and Iowa; make this planned new city a "gateway" for people and goods entering the Chicago metropolitan area from the west. Accordingly, uses planned are appropriate to its gateway function and location. These include a variety of residential, commercial, industrial, institutional and public uses designed to create a comprehensive economic and consumer service base which will not only assure the environmental and financial self-sufficiency of the District but also contribute to the economic and cultural well-being of the people of the City and surrounding communities.

In its own right the District will represent a major fiscal and territorial addition to the resources of the City and the other governmental units serving the DuKane Valley area.

Given its strategic location at the junction of three major transportation systems, the need to assure access for an adequate labor force to support the various commercial, institutional and industrial uses, and the overriding public interest in providing efficient high quality commuter service for local residents to places of employment in and near the central city, a Transportation Center for the interchange of rail, bus, private automobile and other forms of traffic is under discussion. A balanced transportation system will be planned for the District. In planning transportation facilities within the District, emphasis will be placed on the impact of proposed new facilities on the existing local and area-wide transportation structures. Vehicular and pedestrian circulation patterns will be planned so as to minimize pedestrian-vehicular conflict.

Region I will offer the area a regional shopping center (hereinafter called the "Regional Shopping Center") featuring nationally renowned retailers including major department stores of Marshall Field & Company and Sears, Roebuck and Co. On the basis of current experience with similar shopping centers in other parts of the

Chicago metropolitan area, the shopping center will generate several thousand new jobs and well over \$100,000,000 in annual sales.

Substantial areas in the District are proposed for business, manufacturing, office and other uses to serve both local and regional needs. Provision for manufacturing facilities is consistent with the historic industrial role of the Fox River Valley area and gives material substance to county and regional public planning objectives of encouraging further industrial development in this section of the Chicago metropolitan area.

The housing units contemplated in the District are to be distributed among single-family homes, town-houses, garden apartments and multi-story buildings.

Because of the necessarily extended development period for an undertaking of this magnitude, the details as to housing types, sizes and amenities in the District will be determined by market experience as successive groups of housing units are completed and made available. It is contemplated that a high degree of home and apartment ownership will prevail and that a broad spectrum of housing types and prices will be made available to meet the needs of the labor force required by the area's industries and for those drawn to this new city by its location and amenities.

Community amenities will be included in the District, and planning for schools, parks, libraries, transportation and other community facilities and amenities in the District will receive the same care as the planning of housing.

Care will be taken in the planning of the District to preserve and stabilize the ecology of the area. The natural resources and characteristic land forms of the area shall, wherever possible, be preserved with the concept in mind that a community and its environment must be viewed as one. Measures will be taken during construction to prevent erosion of exposed top soil.

By virtue of its geographic position between the Fox River, one of the few natural scenic features in the Chicago region, and the proposed Springbrook forest preserve, the District is uniquely located to significantly augment the scenic and recreational facilities of this general area. Sites will be reserved in appropriate locations for schools and parks to assure the availability of these essential community facilities and to enhance the residential quality of areas designated for housing.

FOX VALLEY EAST PLANNED DEVELOPMENT DISTRICT

Plan Description

Part One

Section II

Description of Land Uses

The District shall be developed into the land use Areas described below and in accordance with the land use plans included in Part Three of this Plan Description, which land use plans may be changed from time to time as provided for in Subsection I. of Section V hereof. On each Preliminary Plan and Final Plan (hereinafter called "Preliminary Plan" and "Final Plan") submitted for approval in accordance with Subsection 14.7 of City Ordinance No. 3100 (which Ordinance No. 3100, together with all amendments thereto, is hereinafter collectively called the "Zoning Ordinance"), and on each General Development Plan submitted pursuant to Subsection V J. hereof, the land use Areas to be included in that part of the District covered by such Preliminary or Final Plan or General Development Plan shall be indicated.

A. Business Areas.

1. Permitted Uses.

a. In neighborhood shopping center Business Areas of the District which are fifteen acres or less in size and are located adjacent to a Residential Area of the District, and in all other

Business Areas of the District which do not meet the requirements of Subsection b. of this Subsection 1., the permitted uses shall be any of the uses permitted on the date of the approval by the City Council of the City (hereinafter called the "City Council") of the application for establishment of the District (hereinafter called the "approval date") in the B-1, B-2 and O districts as set forth and provided for in the Zoning Ordinance; provided, that with the approval of the City Council, which approval may be given as part of the approval of a Preliminary or Final Plan, uses permitted by the Zoning Ordinance on the approval date in B-3 districts may be permitted in any such Business Areas.

b. In Business Areas of the District other than neighborhood shopping center Business Areas described in Subsection a. above, which Business Areas are planned and developed as a unit, and the planning and development of which are under single, unified or coordinated control (regardless of ownership), the permitted uses shall be any of the uses permitted on the approval date in the B-1, B-2, B-3 and O districts as set forth and provided for in the Zoning Ordinance; provided, that (i) without the approval of the City Council, which approval may be given as part of the approval of a Preliminary or Final Plan, dwellings may not be located over a use permitted on the approval date only in B-3

districts as set forth and provided for in the Zoning Ordinance, and (ii) the uses described in Subsections 12.4-1.29, 12.4-1.36 and 12.4-1.38 of the Zoning Ordinance on the approval date shall not be permitted in any such Business Areas of the District.

c. Any uses that become permitted uses in said B-1, B-2, B-3 and O districts of the Zoning Ordinance subsequent to the approval date shall be deemed to have been permitted uses in said districts on the approval date.

d. The following additional uses shall be permitted throughout Business Areas of the District:

(1) Auditoriums, stadiums, arenas, armories, gymnasiums and other similar places for public events.

(2) Bus terminals, railroad passenger stations, freight terminals, and other public transportation terminal facilities.

(3) Municipal or privately owned recreation buildings and community centers.

(4) Nursery schools and day nurseries.

(5) Police stations and fire stations.

(6) Public buildings, including art galleries, post offices, libraries, museums and similar buildings.

(7) Public telephone booths not installed in a building or structure but standing in the open for the general use of the public.

(8) Public or private parks and playgrounds.

(9) Public utility facilities, i.e., filtration plants, water reservoirs and pumping stations, heat or power plants, transformer stations and other similar facilities.

(10) Radio and television transmitting or antenna towers (commercial) and other electronic equipment requiring outdoor structures, and including antenna towers used for the sending of private messages.

(11) Rest homes and nursing
homes.

(12) Schools, elementary, high
and college, public or private.

(13) Clinics and medical
centers.

(14) Golf courses, public or
private.

(15) Hospitals or sanitariums,
public or private.

(16) Telephone exchanges,
antenna towers and other outdoor equip-
ment essential to the operation of the
exchanges.

2. Percentage Limitations. The percentage of
the land in Region I which may be devoted to Business Areas
shall be a minimum of forty-five percent and a maximum of
seventy-five percent. The percentage of the land in
Region II which may be devoted to Business Areas shall be
a minimum of five percent and a maximum of fifteen percent.

B. Manufacturing Areas.

1. Permitted Uses. Any of the uses permitted on the approval date in the M-1 and O districts as set forth and provided for in the Zoning Ordinance shall be uses permitted throughout the Manufacturing Areas of the District; provided, that:

a. The uses described in Subsections 12.4-1.29; 12.4-1.36; 12.4-1.38; 12.5-1.9 and 13.2-1.20 of the Zoning Ordinance on the approval date shall not be permitted;

b. Any uses that become permitted uses in said M-1 and O districts subsequent to the approval date shall be permitted uses throughout such Manufacturing Areas; and

c. The following additional uses shall be permitted throughout such Manufacturing Areas:

(1) Airport, landing field, or landing strip, subject to the Civil Aeronautics Administration certifying that a new or reoriented runway will not interfere with the flight pattern of any established airport, landing field or landing strip.

(2) Bus terminals, railroad passenger stations, freight terminals, and other public transportation terminal facilities.

(3) Public telephone booths not installed in a building or structure but standing in the open for the general use of the public.

(4) Railroad rights-of-way.

(5) Any use listed as an additional use in Subsection A.l.c. of this Section II except the uses listed in clauses (4), (11), (12) and (15) of said Subsection.

(6) Cultural, educational and child care facilities when part of and related to a planned industrial park.

(7) Outdoor theaters.

d. In any part of any Manufacturing Area of the District which is, at the time when a Preliminary Plan including such part of the Manufacturing Area is submitted for approval, within one hundred feet of the boundary of a Residential Area of the

District or the boundary of an area outside the District which was, on the approval date, and is, at the time when such Preliminary Plan is submitted for approval, zoned for residential use, the permitted uses in such part shall be limited to (1) warehouse or parking facilities associated with any uses located in the Manufacturing Area; (2) any uses permitted in the B-1, B-2, B-3 and O districts as set forth and provided for in the Zoning Ordinance on the approval date; and (3) any uses that become permitted uses in said districts subsequent to the approval date; provided, that if the boundary of such Residential Area or such area outside the District shall be in a road, highway, railroad or similar right-of-way or in a stream, park, river or similar natural barrier, the depth of that part of such right-of-way or natural barrier which is within such Residential Area or such area outside the District zoned for residential use may be deducted from the one-hundred-foot requirement for the part of the Manufacturing Area in which the permitted uses shall be so limited. The provisions of this Subsection II B.1.d. shall not apply to the Region II Manufacturing Area designated as "Restricted Manufacturing Area" on the land use plan included as map number VI in Part Three of this Plan Description, or in such Area as it may be enlarged or contracted pursuant to Subsection V I. hereof.

e. In the Region II Manufacturing Area designated as "Restricted Manufacturing Area" on the land use plan included as map number VI in Part Three of this Plan Description or in such Area as it may be enlarged or contracted pursuant to Subsection V I. hereof, neither the uses described in Subsections 13.2-1.10; 13.2-1.11; 13.2-1.18; 13.2-1.19; 13.2-1.32; 13.2-1.33; 13.2-1.36; 13.2-1.38; 13.2-1.51; 13.2-1.52; 13.2-1.54; 13.2-1.56 and 13.2-1.57 of the Zoning Ordinance on the approval date; nor a retail commercial structure having more than two hundred and fifty thousand square feet of gross floor area devoted to retail sales and service operations shall be permitted.

2. Percentage Limitations. The percentage of the land in Region I which may be devoted to Manufacturing Areas shall be a maximum of ten percent. The percentage of the land in Region II which may be devoted to Manufacturing Areas shall be a minimum of twenty percent and a maximum of fifty percent.

C. Residential Areas.

1. Permitted Uses. Any of the uses permitted on the approval date in the R-1, R-2, R-3, R-4, R-5 and R-5A districts as set forth and provided for in the Zoning Ordinance shall be uses permitted throughout the Residential Areas of the District; provided, that one-family row

dwellings (party wall) may have eight dwellings in a row or building, and provided further, that:

a. Any uses that become permitted uses in said R-1, R-2, R-3, R-4, R-5 and R-5A districts subsequent to the approval date shall be permitted uses throughout such Residential Areas; and

b. The following additional uses shall be permitted throughout such Residential Areas:

(1) Golf courses, public or private.

(2) Municipal or privately owned recreation buildings and community centers.

(3) Nursery schools and day nurseries.

(4) Police stations and fire stations.

(5) Public buildings, including art galleries, post offices, libraries, museums and similar buildings.

(6) Public or private parks and playgrounds.

(7) Public telephone booths not installed in a building or structure but standing in the open for the general use of the public.

(8) Public utility facilities, i.e., filtration plants, water reservoirs and pumping stations, heat or power plants, transformer stations and other similar facilities.

(9) Rest homes and nursing homes.

(10) Schools, elementary, high and college, public or private.

(11) Telephone exchanges, antenna towers and other outdoor equipment essential to the operation of the exchanges.

2. Percentage Limitations. The percentage of the land in Region I which may be devoted to Residential Areas shall be a minimum of twenty percent and a maximum of fifty percent. The percentage of the land in Region II which may be devoted to Residential Areas shall be a minimum of thirty-five percent and a maximum of sixty-five percent.

D. Open Space.

Land shall be reserved for public open space, parks and recreation uses in accordance with the provisions of Subsection B.19. of Section IV hereof.

E. School Sites.

Land shall be reserved for school sites in accordance with the provisions of Subsection B.19. of Section IV hereof.

F. Existing and Temporary Uses in the District.

Any lawfully established use of a building or land in the District, including farm and agricultural uses, which is established or being carried on on the approval date, may be continued pending the commencement of construction in accordance with approved Final Plans for the land on which such building is located or on which such use is established or being carried on. Subject to the provisions of Subsection A.9. of Section III hereof, temporary uses of a building or land in the District may be permitted pending the commencement of construction in accordance with approved Final Plans for the land on which such building is located or on which such temporary use is permitted. Any such temporary use shall be compatible with existing uses in the area where such temporary

use is located. Except as provided for herein, after complete development of the District in accordance with approved Final Plans, no uses of a building or land shall be allowed except uses permitted by approved Final Plans for the District. If, pursuant to the provisions of Subsection 15.5-3 of the Zoning Ordinance, the City Council shall at any time rezone any property in the District, the City Council shall have the right to require the abatement of any use of a building located on or land included within such rezoned property which shall have been an established use on the approval date but which shall not be a permitted use on such property following such rezoning action.

G. Determination of Percentage Limitations.

The percentage limitations provided for in Subsections A.2., B.2. and C.2. of this Section II shall be applied to the land area of a Region after deducting from such land area all land devoted to or reserved or dedicated for (i) above ground public utility buildings and structures required to service the Region and (ii) rights-of-way for public streets, highways and alleys. Land area devoted to or reserved or dedicated for school and other public building sites and public parkways, walkways and drainage courses shall be included in the land area to which such percentage limitations shall be applied. In determining the percentage of land devoted to each land use Area, land devoted to parking and private open space, park and recreational facilities shall be included.

FOX VALLEY EAST PLANNED DEVELOPMENT DISTRICT

Plan Description

Part One

Section III

Development Standards, Design Criteria and

Land Improvements

A. Zoning Standards.

The standards set forth in this Subsection III A. shall be applicable to all buildings and structures and the use of all land in the District in lieu of comparable or similar standards or requirements of the Zoning Ordinance, and all provisions and requirements of the Zoning Ordinance inconsistent with the standards set forth herein shall be inapplicable. Any uncertainty between the applicability of a standard or requirement of the Zoning Ordinance and the applicability of a standard set forth herein shall be resolved in favor of the standard set forth herein.

1. Dwelling Standards.

a. One-Family Dwellings. Each one-family one-story dwelling shall have a total ground floor area of not less than seven hundred and fifty square feet. Each one-family dwelling of more than one story shall have a total floor area of not less than nine hundred and fifty square feet.

b. Two-Family Dwellings. Each two-family dwelling shall have a total floor area per dwelling unit of not less than seven hundred and fifty square feet.

c. Multiple-Family Dwellings and Apartments. Multiple-family dwellings and apartments shall have a minimum total floor area per dwelling unit as follows:

	<u>Square Feet</u>
(1) Efficiency apartments	450
(2) Apartments with one bedroom	650
(3) Apartments with two bedrooms	850
(4) Apartments with three bedrooms	1000
(5) Apartments with four or more bedrooms	1100

In all cases, ground floor area or floor area shall be measured from the outside of the exterior walls, shall include utility rooms, but shall not include cellars, basements, open porches, balconies, breezeways, garages and other spaces that are not used frequently or during extended periods for living, eating or sleeping purposes. A basement shall not be considered as a story for the purposes of this Subsection III A.1.

2. Building Height.

a. Residential Areas. The following building

height limitations shall be applicable in all Residential Areas of the District:

(1) No one-family detached dwelling or one-family row dwelling shall be erected or structurally altered to exceed a height of three stories or a height of forty feet, whichever is the higher.

(2) No two-family, three-family, or four-family dwelling shall be erected or structurally altered to exceed a height of four stories or a height of forty feet, whichever is the higher.

(3) No multiple-family dwelling or apartment building shall be erected or structurally altered to exceed a height of two hundred feet and no more than fifteen stories in any such building may be devoted to dwelling units.

b. Business Areas. In Business Areas of the District no building or structure shall be erected or structurally altered to exceed a height of four stories or a height of sixty feet, whichever is the

higher, except that buildings which may be erected or structurally altered to a greater height pursuant to the City Building Code may be erected or structurally altered within the height limitations set forth in said Code.

c. Manufacturing Areas. In Manufacturing Areas of the District no building or structure shall be erected or structurally altered to exceed a height of seventy-five feet, except that buildings intended for business or office uses which may be erected or structurally altered to a greater height pursuant to the City Building Code may be erected or structurally altered within the height limitations set forth in said Code.

Parapet walls, chimneys, cooling towers, elevator bulk heads, fire towers, stacks, stage towers, scenery lofts, necessary mechanical or structural appurtenances, aerials, light towers, flag poles and similar extensions to the height of buildings shall be permitted to exceed the maximum height limitations set forth above, provided they are erected in accordance with all other ordinances of the City. A basement shall not be considered as a story for the purposes of this Subsection III A.2.

3. Location of Buildings in Relation to Boundary Lines of the District and in Relation to Boundary Lines of Use Areas in the District.

a. Residential Areas. In Residential Areas of the District, the minimum distance between the exterior wall of any building and a boundary line of the District or a boundary line of the Residential Area shall be twenty-five feet; provided, that if the building exceeds twenty-five feet in height, such minimum distance shall be increased one foot for each two feet or fraction thereof by which the building height exceeds twenty-five feet, but in no case shall such minimum distance exceed forty feet.

b. Business Areas. In Business Areas of the District, the minimum distance between the exterior wall of any building and a boundary line of the District or a boundary line of the Business Area, if the property abutting such boundary line is in a Residential Area of the District or in an area outside the District zoned for residential use, or if such building includes dwelling units, shall be thirty feet; provided, that if the building exceeds twenty-five feet in height, such minimum distance shall be increased one foot for each two feet or fraction thereof by which the building height exceeds twenty-five feet, but in no case shall such

minimum distance exceed forty feet; and, provided further, that if the property abutting such boundary line is not in a Residential Area of the District or is in an area outside the District zoned for nonresidential use, and if such building does not include dwelling units, such minimum distance shall be twenty feet.

c. Manufacturing Areas. In Manufacturing Areas of the District, the minimum distance between the exterior wall of any building and a boundary line of the District or a boundary line of the Manufacturing Area, if the property abutting such boundary line is in a Residential Area of the District or in an area outside the District zoned for residential use, shall be thirty feet; provided, that if the building exceeds twenty-five feet in height, such minimum distance shall be increased one foot for each two feet or fraction thereof by which the building height exceeds twenty-five feet, but in no case shall such minimum distance exceed forty feet; and, provided further, that if the property abutting such boundary line is not in a Residential Area of the District or is in an area outside the District zoned for nonresidential use, such minimum distance shall be twenty-five feet.

d. General Provisions. The following provisions governing the location of buildings in

relation to boundary lines of the District and in relation to boundary lines of the use Areas in the District shall apply in all use Areas in the District:

(1) Where a boundary line of the District or of a use Area in the District is in a public street, alley, railroad, or similar right-of-way, the minimum distance provided for in clauses a., b. and c. above shall be measured from the nearest right-of-way line of such street, alley, railroad or similar right-of-way.

(2) The area between a boundary line of the District or of a use Area in the District and the minimum distance at which the exterior wall of any building may be located may contain the following permitted encroachments: open terraces not over four feet above the average level of the adjoining ground but not including a permanently roofed-over terrace or porch; awnings and canopies; steps, four feet or less above the average level of the adjoining ground which are necessary for access to a building or building site; chimneys projecting eighteen inches or less; recreational and laundry drying equipment; arbors and

trellises; flag poles; fences and walls not exceeding five feet in height above the average level of the adjoining ground; open-type fences exceeding five feet in height (provided that visibility at right angles to any surface of such fence may not be reduced by more than twenty percent); balconies, breezeways and open porches; one-story bay windows projecting three feet or less; overhanging eaves and gutters projecting three feet or less; and air conditioning pads.

4. Zoning Lot. Within the District any parcel of land may be shown as a zoning lot on any Preliminary or Final Plan covering all or any part of the District, provided such parcel of land meets the zoning lot requirements set forth in this Plan Description. Subject to the modifications and exceptions provided for in this Plan Description, all provisions of the Zoning Ordinance which refer or apply to a zoning lot shall refer or apply to the zoning lots so shown on any such Preliminary or Final Plan; provided that (a) each zoning lot must be located entirely within a designated use Area of the District as shown on such Preliminary or Final Plan; (b) a parcel of land shown as a zoning lot on any Preliminary Plan may be divided into two or more zoning lots on a Final Plan for all or a part

of the property covered by such Preliminary Plan; and
(c) a zoning lot may not be intersected by a public highway, street, or railroad right-of-way. Except as otherwise limited by this Plan Description, one or more principal buildings and one or more accessory buildings may be located on a zoning lot. A zoning lot may be used for any one or more of the uses permitted in the use Area in which the zoning lot is located.

5. Zoning Lot Coverage and Floor Area Ratios.

a. Residential Areas. The following zoning lot coverage and floor area ratio limitations shall be applicable in all Residential Areas of the District:

(1) Not more than forty percent of the area of a zoning lot on which detached one-family or two-family dwellings are located may be occupied by buildings, including accessory buildings.

(2) Not more than forty percent of the area of a zoning lot on which multiple-family dwellings, apartments or one-family row dwellings (party wall) are located may be occupied by buildings, including accessory buildings.

(3) On a zoning lot on which multiple-family dwellings or apartments

are located the following floor area ratio limitations shall apply:

(a) For buildings up to and including three stories in height, the floor area ratio shall not exceed one.

(b) For buildings which exceed three stories but not eight stories in height, the floor area ratio shall not exceed two.

(c) For buildings which exceed eight stories in height, the floor area ratio shall not exceed three; provided, that for buildings which exceed twelve stories in height, the floor area ratio may exceed three if at least fifty percent of required parking facilities are provided in garage areas which are a part of the building, in which case the floor area ratio shall not exceed four.

(d) With the approval of the City Council, which approval may be given as part of the approval of a Preliminary or Final Plan, the

floor area ratio for any zoning lot may exceed the limitation applicable to that lot provided that the floor area ratio for all zoning lots within each Region, separately, shall, within such Region, comply with such limitations.

b. Business Areas. There shall be no zoning lot coverage or floor area ratio limitations in the Business Areas of the District except for buildings containing dwelling units, each of which shall be located on a single zoning lot. Not more than forty percent of the area of the zoning lot may be occupied by that portion of such a building containing dwelling units; provided, that the area of the zoning lot left open may begin at that level of the building's elevation at which the portion of the building containing dwelling units commences. The following floor area ratio limitations shall apply to the dwelling unit portion of such buildings:

(1) For buildings with dwelling unit portions up to and including three stories in height, the floor area ratio shall not exceed one.

(2) For buildings with dwelling unit portions which exceed three